

FORM PTO-1390 (Modified) (REV. 07-2004) U.S. PATENT AND TRADEMARK OFFICE: U.S. DEPARTMENT OF COMMERCE		ATTORNEY'S DOCKET NUMBER <b>147-04</b>
TRANSMITTAL LETTER TO THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US) CONCERNING A SUBMISSION UNDER 35 U.S.C. 371		U.S. APPLICATION NO. (If known, see 37 CFR 1.5) <b>10/516900</b>
INTERNATIONAL APPLICATION NO. <b>PCT/US2003/027932</b>	INTERNATIONAL FILING DATE <b>September 8, 2003</b>	PRIORITY DATE CLAIMED <b>September 9, 2002</b>
TITLE OF INVENTION <b>Whale-Safe Rope</b>		
APPLICANT(S) FOR DO/EO/US <b>Norman L. Holy</b>		
Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:		
<ol style="list-style-type: none"> <li>1. <input checked="" type="checkbox"/> This is a <b>FIRST</b> submission of items concerning a submission under 35 U.S.C. 371.</li> <li>2. <input type="checkbox"/> This is a <b>SECOND</b> or <b>SUBSEQUENT</b> submission of items concerning a submission under 35 U.S.C. 371.</li> <li>3. <input type="checkbox"/> This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (24) indicated below.</li> <li>4. <input checked="" type="checkbox"/> The US has been elected (Article 31).</li> <li>5. <input checked="" type="checkbox"/> A copy of the International Application as filed (35 U.S.C. 371 (c) (2))             <ol style="list-style-type: none"> <li>a. <input type="checkbox"/> is attached hereto (required only if not communicated by the International Bureau).</li> <li>b. <input type="checkbox"/> has been communicated by the International Bureau.</li> <li>c. <input checked="" type="checkbox"/> is not required, as the application was filed in the United States Receiving Office (RO/US).</li> </ol> </li> <li>6. <input checked="" type="checkbox"/> An English language translation of the International Application as filed (35 U.S.C. 371(c)(2)).             <ol style="list-style-type: none"> <li>a. <input checked="" type="checkbox"/> is attached hereto.</li> <li>b. <input checked="" type="checkbox"/> has been previously submitted under 35 U.S.C. 154(d)(4).</li> </ol> </li> <li>7. <input checked="" type="checkbox"/> Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371 (c)(3))             <ol style="list-style-type: none"> <li>a. <input type="checkbox"/> are attached hereto (required only if not communicated by the International Bureau).</li> <li>b. <input type="checkbox"/> have been communicated by the International Bureau.</li> <li>c. <input type="checkbox"/> have not been made; however, the time limit for making such amendments has NOT expired.</li> <li>d. <input checked="" type="checkbox"/> have not been made and will not be made.</li> </ol> </li> <li>8. <input type="checkbox"/> An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).</li> <li>9. <input checked="" type="checkbox"/> An oath or declaration of the inventor(s) (35 U.S.C. 371 (c)(4)).</li> <li>10. <input type="checkbox"/> An English language translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371 (c)(5)).</li> <li>11. <input type="checkbox"/> A copy of the International Preliminary Examination Report (PCT/IPEA/409).</li> <li>12. <input checked="" type="checkbox"/> A copy of the International Search Report (PCT/ISA/210).</li> </ol>		
Items 13 to 23 below concern document(s) or information included:		
<ol style="list-style-type: none"> <li>13. <input type="checkbox"/> An Information Disclosure Statement under 37 CFR 1.97 and 1.98.</li> <li>14. <input checked="" type="checkbox"/> An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.</li> <li>15. <input type="checkbox"/> A <b>FIRST</b> preliminary amendment.</li> <li>16. <input type="checkbox"/> A <b>SECOND</b> or <b>SUBSEQUENT</b> preliminary amendment.</li> <li>17. <input type="checkbox"/> A substitute specification.</li> <li>18. <input type="checkbox"/> A power of attorney and/or change of address letter.</li> <li>19. <input type="checkbox"/> A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 37 CFR 1.821 - 1.825.</li> <li>20. <input type="checkbox"/> A second copy of the published International Application under 35 U.S.C. 154(d)(4).</li> <li>21. <input type="checkbox"/> A second copy of the English language translation of the International Application under 35 U.S.C. 154(d)(4).</li> <li>22. <input checked="" type="checkbox"/> Express Mail Label No. <u>EV 281506489 US</u></li> <li>23. <input type="checkbox"/> Other items or information:</li> </ol>		

U.S. APPLICATION NO. (if known, see 37 CFR 1.51)	INTERNATIONAL APPLICATION NO.	ATTORNEY'S DOCKET NUMBER
<b>10/516900</b>	PCT/US2003/027932	147-04

24. The following fees are submitted.:

**BASIC NATIONAL FEE (37 CFR 1.492(a)(1)-(5)) :**

<input type="checkbox"/> Neither international preliminary examination fee (37 CFR 1.482) nor international search fee (37 CFR 1.445(a)(2)) paid to USPTO and International Search Report not prepared by the EPO or JPO .....	\$1110.00
<input type="checkbox"/> International preliminary examination fee (37 CFR 1.482) not paid to USPTO but International Search Report prepared by the EPO or JPO .....	\$950.00
<input checked="" type="checkbox"/> International preliminary examination fee (37 CFR 1.482) not paid to USPTO but international search fee (37 CFR 1.445(a)(2)) paid to USPTO .....	\$790.00
<input type="checkbox"/> International preliminary examination fee (37 CFR 1.482) paid to USPTO but all claims did not satisfy provisions of PCT Article 33(1)-(4) .....	\$750.00
<input type="checkbox"/> International preliminary examination fee (37 CFR 1.482) paid to USPTO and all claims satisfied provisions of PCT Article 33(1)-(4) .....	\$100.00

**ENTER APPROPRIATE BASIC FEE AMOUNT =**

**\$790.00**

Surcharge of \$130.00 for furnishing the oath or declaration later than  20  30 months from the earliest claimed priority date (37 CFR 1.492(e)).

**\$0.00**

CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE	
Total claims	17 - 20 =	0	x \$18.00	<b>\$0.00</b>
Independent claims	1 - 3 =	0	x \$88.00	<b>\$0.00</b>
Multiple Dependent Claims (check if applicable).			<input type="checkbox"/>	<b>\$0.00</b>

**TOTAL OF ABOVE CALCULATIONS =** **\$790.00**

Applicant claims small entity status. See 37 CFR 1.27. The fees indicated above are reduced by 1/2.

**\$395.00**

**SUBTOTAL =** **\$395.00**

Processing fee of \$130.00 for furnishing the English translation later than  20  30 months from the earliest claimed priority date (37 CFR 1.492(f)).

**\$0.00**

**TOTAL NATIONAL FEE =** **\$395.00**

Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31) (check if applicable).

**\$0.00**

**TOTAL FEES ENCLOSED =** **\$395.00**

<b>Amount to be: refunded</b>	\$
<b>charged</b>	\$

- A check in the amount of **\$395.00** to cover the above fees is enclosed.
- Please charge my Deposit Account No. \_\_\_\_\_ in the amount of \_\_\_\_\_ to cover the above fees.
- The Director is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. **16-0750**
- Fees are to be charged to a credit card. **WARNING: Information on this form may become public. Credit card information should not be included on this form.** Provide credit card information and authorization on PTO-2038.

**NOTE: Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the International Application to pending status.**

SEND ALL CORRESPONDENCE TO:

John J. Simkanich, Esq.  
Reg. No. 26,036  
Paul & Paul  
2900 Two Thousand Market Street  
Philadelphia, PA 19103  
215-568-4900

  
\_\_\_\_\_  
**SIGNATURE**

**John J. Simkanich**

NAME

**26,036**

REGISTRATION NUMBER

**December 3, 2004**

DATE

10/516900

DT05 Rec'd PCT/PTO 03 DEC 2004

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Serial No.: Unassigned

Filed: Herewith

For: Whale-Safe Rope

Inventor: Norman L. Holy

Atty. Doc. No.: 147-04

"EXPRESS MAIL" MAILING LABEL NO:  
EV 281506489 US

DATE OF DEPOSIT December 3, 2004

I HEREBY CERTIFY THAT THIS PAPER IS BEING DEPOSITED  
WITH THE UNITED STATES POST OFFICE "EXPRESS MAIL  
POST OFFICE TO ADDRESSEE" SERVICE UNDER 37 C.F.R. §  
1.10 ON THE DATE INDICATED ABOVE AND IS ADDRESSED  
TO Mail Stop PCT COMMISSIONER FOR PATENTS, P.O. Box

1450, Alexandria, VA 22313-1450

NAME OF PERSON MAILING PAPER OR FEE  
Louise DiSalvo

SIGNATURE *Louis DiSalvo*

**EXPRESS MAIL COVER LETTER**

Mail Stop PCT  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Enclosed herewith are the following:

- (1) Express Mail Cover Letter;
- (2) Transmittal to the U.S. Designated/Elected Office;
- (3) International Publication WO 2004/021771 A2;
- (4) Declaration and Power of Attorney;
- (5) International Search Report;
- (6) Notification of Transmittal of International Search Report;
- (7) Assignment (signed);
- (8) PTO Form 1595;
- (9) Check in the amount of \$395.00 (filing fee);
- (10) Check in the amount of \$40.00 Assignment;
- (11) Paul & Paul postcard to be returned by the PTO.

THE COMMISSIONER IS HEREBY AUTHORIZED TO CHARGE ANY ADDITIONAL FEES  
ASSOCIATED WITH THIS COMMUNICATION, OR CREDIT ANY OVERPAYMENT, TO PAUL &  
PAUL DEPOSIT ACCOUNT NO. 16-0750, ORDER NO. 2762

Respectfully submitted,

*[Signature]*  
John J. Simkanich

Reg. No. 26,036

Paul & Paul

2900 Two Thousand Market St.  
Philadelphia, PA 19103  
(215) 568-4900